

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
BALTIMORE DIVISION**

JASON ALFORD *et al.*,

Plaintiffs,

v.

THE NFL PLAYER DISABILITY &  
SURVIVOR BENEFIT PLAN *et al.*,

Defendants.

Case No. 1:23-cv-00358-JRR

**DECLARATION OF DR. WILLIAM GARMOE IN SUPPORT OF  
DEFENDANTS' JOINT OPPOSITION TO PLAINTIFFS' MOTION TO COMPEL**

I, William Garmoe, hereby declare pursuant to 28 U.S.C. § 1746, under the penalty of perjury, that the following is true and correct; that I have personal knowledge of the matters set forth herein, or knowledge based on my review of business records; and that, if called to testify as a witness in this action, I could and would testify competently thereto:

**I. BACKGROUND**

1. I am the Director of Psychology for MedStar National Rehabilitation Network (“MNRN”). I am a board-certified clinical neuropsychologist (ABPP-CN), with active licenses in Washington, D.C., Maryland, and Virginia, specializing in assessment and treatment of individuals who have and are experiencing traumatic brain injury, aneurysm, dementia, and other neurologic syndromes.

2. I hold appointments as Clinical Associate Professor of Rehabilitation Medicine and Neurology in the Georgetown University Medical School, am a founder and/or current faculty member in the National Rehabilitation Hospital Neuropsychology Fellowship and the Brain Injury Medicine Fellowship programs, and am a Fellow of the National Academy of Neuropsychology. I have published research in the areas of self-awareness following brain injury, Persistent Covid-19 Condition, and other topics, and I am a contributing author to the Clinical Neuropsychology Study Guide and Board Review. I am also involved in the Bioethics services at MNRN.

3. I received my PhD in clinical psychology from Northern Illinois University, and completed my residency at the Edward Hines Jr. Veterans Affairs Hospital, and post-doctoral fellowship in clinical neuropsychology at the Rehabilitation Institute of Chicago.

4. I have worked as an independent contractor with the NFL Player Disability & Survivor Benefit Plan (the “Plan”) and its predecessors since approximately 2012.

## **II. MY WORK FOR THE PLAN**

5. My primary work for the Plan is as a Neutral Physician and Medical Advisory Physician (“MAP”) neuropsychologist. I am also one of six Plan consultants—roughly one in each specialty of players’ most common impairments—orthopedics, psychiatry, neurology, and neuropsychology. Among other things, consultants help to onboard and orient newly appointed Neutral Physicians, and update Orientation Manuals.

6. When I first became a consultant to the Plan in approximately 2012 or 2013, I proposed that I create a system to track certain neuropsychological and neurological test data for players examined by the Plan’s Neutral Physicians. My request was granted. I have since captured these data, which are extracted directly from report forms prepared by neuropsychologist and neurologist Neutral Physicians and from related medical examination tests results and scores. I use these data, which are maintained in a database using software called “Statistical Package for the Social Sciences (“SPSS”), to identify and analyze trends in neurocognitive and medical data on players, such as patterns of impairment. Data entered in the database are limited to neuropsychological and neurological exams, and do not contain data from other types of Neutral Physicians.

7. I created this database in approximately 2012 or 2013, and it contains data from approximately 2013 through April 2024. The data are extracted directly from Neutral Physician report forms submitted to the Plan, which I receive from the Plan via a secure download portal. All of the data are manually entered into the database in a de-identified format, such that no player could be personally identified on the basis of the entries.

8. My staff and I are the exclusive users of this database. The role of my staff is to perform data entry and maintain records. I am the only person who uses the database for analytic purposes. No one is able to access the data or the database without my authorization. I do not

share, and have not ever shared the database with any Plan personnel, Board or Committee members, or any Neutral Physicians.

9. I use the database to assess neurocognitive and medical trends observed in Player evaluations, so that I can then provide guidance and recommendations to the Plan based on the relevant data I analyze. My analyses of the data have, for example, led me to recommend changes in the neuropsychological test battery used by the Plan.

10. The database has never been used to generate aggregate statistics about the decisions made or trends in decision-making by individual Neutral Physicians. I have never been asked to generate aggregate or summary statistics about decisions made or trends in decision-making by individual Neutral Physicians. The database is not used to assess or evaluate the competency or the efficacy of any Neutral Physicians.

11. No one from the NFL Player Benefits Office, the Board, or the Disability Committee has ever requested access to the database for any purpose, and no one would be able to access the database without authorization from me.

12. Data are maintained only on stand-alone laptop or desktop computer(s) that are password protected, and kept in a locked file cabinet inside a locked office. Any back-up copies of the database are similarly stored in locked cabinets, and are never uploaded to any location/network that could be accessed by anyone associated with the Plan. A separate database file is maintained to link names with identification numbers, which file I maintain in a secure location.

13. Summaries of my data analyses regarding neuropsychological and medical trends in the data are occasionally shared at meetings of Neutral Physicians and others associated with the Plan. No identifying information about Players is ever shared, and no summary information

or statistics about the performance, trends, or disability findings of Neutral Physicians is ever included in analyses or discussed at meetings.

Executed this 9th day of December, 2024 at Washington, D.C.

A handwritten signature in black ink, appearing to read "William Garmoe". The signature is fluid and cursive, with a horizontal line drawn underneath it.

William Garmoe, Ph.D., ABPP-CN